

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RANDY COY HENDERSON,

Plaintiff,

v.

CANDY ZRELIAK, *et al.*,

Defendants.

Case No. C06-5510 FDB/KLS

ORDER TO SHOW CAUSE FOR  
FAILURE TO STATE A CLAIM

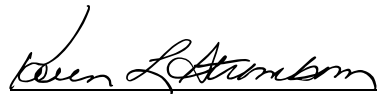
This civil rights action has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. Plaintiff has been granted leave to proceed *in forma pauperis*. Before the court for review is plaintiff's proposed civil rights complaint in which Plaintiff purports to sue Candy Zreliak, Suan I. Bauer, and James J. Stonier, pursuant to 42 U.S.C. § 1983, for actions committed during the years of 1996 through 1999. The Court finds that the plaintiff must show cause why his complaint should not be dismissed as time barred. The Civil Rights Act, 42 U.S.C. § 1983, contains no statute of limitations and the federal courts use the applicable statute of limitations from the state in which they sit. In Washington the statute of limitations for filing a civil rights action is three years. Rose v. Rinaldi, 654 F.2d 546 (1981).

Accordingly, it is ORDERED:

1           1. Plaintiff shall show cause why this complaint should not be dismissed. A response is due by  
2 **October 31, 2006.** If plaintiff fails to file a response or the response shows the plaintiff cannot go forward  
3 the court will enter a report and recommendation that the complaint be dismissed.

4           2. The Court Clerk is directed to send a copy of this Order to plaintiff.

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6 DATED this 26th day of September, 2006.

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10 Karen L. Strombom  
11 United States Magistrate Judge  
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